

**MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF ARCHITECTURAL REVIEW
CITY OF FAIRFAX
CITY HALL, FAIRFAX, VIRGINIA
JANUARY 27, 2016**

Members Present: Chair Paul Cunningham, Vice Chair Mark Angres, John Laughton, Natasha Jackson, Jagdish Pathela

Member(s) Absent: Kevin Connors, Fernando Sepulveda

Staff Present: Kelly O'Brien, Planner; Tommy Scibilia, Planner

Meeting began at 7:00 pm

1. Discussion of Agenda.

MR. ANGRES MOVED TO ADOPT THE AGENDA AS PRESENTED; SECONDED BY MS. JACKSON; WHICH CARRIED UNANIMOUSLY BY VOICE VOTE.

2. Presentations by the public on any item not calling for a public hearing.

None.

3. Consideration of Meeting Minutes, January 6, 2016.

VICE CHAIR ANGRES MOVED TO ADOPT THE MINUTES AS PRESENTED, SECONDED BY MR. LAUGHTON, WHICH CARRIED UNANIMOUSLY BY VOICE VOTE.

4. Consideration of the request of Ed Sarbaz, representative for the applicant Fairfax Plaza, LLC, for approval of a Master Sign Plan for the Fairfax City Plaza shopping center located at 9536 Lee Highway, BAR -15120070.

Staff report

Board comments

- Mr. Pathela and Ms. Jackson questioned the implications on the Master Sign Plan of having the building in question in both the City of Fairfax and Fairfax County.
 - Staff responded that Fairfax County would likely be receptive to the landlord's signage plan as prepared for the City of Fairfax.

MS. JACKSON MOTIONED IN THE REQUEST OF ED SARBAZ, REPRESENTATIVE OF APPLICANT FAIRFAX CITY PLAZA, LLC, FOR APPROVAL OF A MASTER SIGN PLAN FOR THE FAIRFAX CITY PLAZA SHOPPING CENTER LOCATED AT 9536 LEE HIGHWAY, BAR -15120070, FOR APPROVAL WITH MODIFICATIONS AS FOLLOWS:

1. All signage installed at the site shall conform to the provisions contained within the Master Sign Plan, except as regulated by the Zoning Ordinance, and as may be modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.
2. Pages 7 to 13 and 15 to 17 listed in the Table of Contents shall not be part of the Master Sign Plan.
3. Lines 9 and 11 from the "GUIDELINES Per City of Fairfax" shall be removed and the remaining items shall be renumbered accordingly.
4. Building mounted signs shall be placed in "signable areas" identified on the sign areas exhibit.
5. Mounting of signs shall not penetrate the masonry but instead be located in the mortar joints to avoid damage to the facade.
6. All sign types are allowed as permitted by the zoning ordinance.
7. If a raceway is used, it shall be painted to match the façade material to which it is mounted in a color to be selected by the Landlord.
8. Logos shall be permitted as part of the tenant's building mounted signage in addition to the text of the tenant name with Landlord approval.
9. Window and awning signs are permitted with Landlord approval and compliance with the City's zoning ordinance.

SECONDED BY MR. PATHELA WHICH CARRIED UNANIMOUSLY BY VOICE VOTE.

Public comments: None

5. Review of Board By-laws.

Chair Cunningham:

- Explained that the last time the by-laws had been amended was in 2010.
- There are four new members on the Board since then.
- In 2010, it was decided that elections be held during the second meeting in January rather than October to align with the election schedule of the Planning Commission, whose officer election is held the first week in January.

Ms. Jackson:

- Question regarding what is to be done in the case of a conflict of interest when a board member is involved on a project brought to the Board.
 - The Board agreed the conflict should be brought to light as soon as possible.
 - If a conflict is deemed significant, the Board member in conflict would recuse themselves from that topic at the meeting and abstain from the vote.
 - Mr. Laughton has had connections to projects brought to the Board in the past, through friends in his industry or through his own company. He contacted Staff in a timely manner to discuss whether a conflict was present.

Ms. Jackson:

- Questioned whether meeting quorum and voting quorum are the same. In other words, would a recusal due to a conflict of interest affect the quorum of the vote?
- Staff also added that this may apply to adoption of previous meeting minutes.
- Ms. Jackson also suggested amending the by-laws to add language clarifying this matter.
 - The Board and Staff came to the conclusion that no, a recusal does not affect the quorum. Staff stated they would check with the City Attorney regarding this issue.

Mr. Laughton:

- Asked for clarification on what a “conceptual presentation” is and when one is appropriate.
 - Staff explained that these presentations are preliminary information sessions, where the applicant can deliberate with the Board and Staff to provide background on the project and receive feedback before a formal review.
 - Staff discussed the Board’s role in the review process envisioned in the Draft Zoning Ordinance. Land use cases (those involving special exceptions, special use permits, variances, or rezonings) would receive recommendations from the Board before being presented to City Council, which would make the final ruling on the project. Changes in by-right uses would need final approval from the Board.

Mr. Pathela:

- Questioned whether there is a limit on the number of conceptual presentations an applicant can put forward.
 - Staff explained that there is currently no limit in place, and that these conceptual presentations do not require a formal application or application fee.

Vice Chair Angres:

- Expressed belief that any amendments to the Board by-laws be postponed until the new Zoning Ordinance is adopted in order to fully understand the Board’s role as modified.

Chair Cunningham:

- Questioned the usefulness/ necessity of having a Board representative on the Community Appearance Committee.

6. Election of the Chair and Vice Chair.

MS. JACKSON NOMINATED MR. ANGRES FOR THE POSITION OF CHAIR, SECONDED BY MR. LAUGHTON, WHICH CARRIED UNANIMOUSLY BY VOICE VOTE.

MR. LAUGHTON NOMINATED MS. JACKSON FOR THE POSITION OF VICE CHAIR, SECONDED BY MR. PATHELA, WHICH CARRIED UNANIMOUSLY BY VOICE VOTE.

7. Staff Report

- No new applications for an early February meeting have been brought forward.
- Upcoming public meeting for IDI regarding the Paul VI renovation, February 11 at 7 p.m. at American Legion Post 177, 3939 Oak Street.

8. Closing Board Comments

- Mr. Laughton will be retiring this spring or early summer and around that time may decide to not be an owner of the business any longer. This may disqualify him as a Board member as he is not a resident of the City.
- Chair Angres canceled the regularly scheduled February 3, 2016 meeting due to lack of applications.

9. Adjournment at 8:37pm

ATTEST:



Board of Architectural Review
Recording Secretary

